

60130-1298

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-20 are currently pending. The Office Action rejected claims 1-6, 8-12, and 18-20, and objected to claims 7 and 13-17.

Claims 1, 2, 4-6, 8-12 and 18-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Periou (US 4,802,350). Claim 1 recites the limitation that with the power control means in a non-powered condition, actuation of the *manually actuatable element does not* cause the release mechanism to unlatch the latch. This limitation requires that actuation of a manually actuatable element does not cause unlatching, when the power control means is in a non-powered condition. The office action states that this limitation is disclosed by Periou at (Col 4, Lines 48-51). Applicant disagrees.

Periou does not disclose the first condition of a power control means as is recited in claim 1. Instead, Periou requires that the power control means (32) be in a powered state to prevent actuation of a release mechanism in response to actuation of a door handle (Col 2, lines 31-35, and Col 4 lines 48-57). In the Periou device, actuation of a door handle causes movement of rod (16). Movement of the rod (16) causes a slide (18) to be driven in a direction causing a contact (25) to close and cause power to be supplied to the coil (32). The powered coil (32) retracts a plunger (33), to prevent unlatching of the latch. (Col 5, lines 21-27). Without power, the plunger (33) remains within the openings (33, 35) and actuation of a door handle allows unlatching. This is contrary to the limitation in claim 1 that requires that in a non-powered stated actuation of a manually actuatable element *does not* cause unlatching.

Accordingly, Periou does not disclose a first condition where a power control means is in a non-powered condition where actuation of a manually actuatable element does not unlatch the latch and therefore does not anticipate the limitations in claim 1. Withdrawal of the rejection is requested.

Examiner has rejected claim 3 under 35 USC 103(a) as being obvious over Periou. Claim 3, recites that a part of the release mechanism is retained by magnetic attraction. The office action points to a second embodiment in Periou. The second embodiment in Periou is shown in Figures 3 and 4 and uses magnetic repulsion to disable a unlatching. (Col 6 lines 10-

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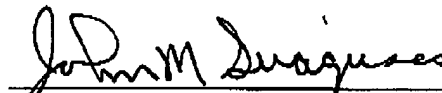
20). Accordingly, the limitations in claim 3 are not disclosed by Periou. Further, claim 3 depends from an allowable base claim. Applicant requests withdrawal of this rejection.

Applicant thanks the Examiner for indicating that claims 7, 13, and 14 contain allowable subject matter. However, Periou fails to disclose the claimed first condition of the power control means. Therefore, the application is allowable without any further modification to the claims.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



JOHN M. SIRAGUSA
Registration No. 46,174
Attorneys for Applicant
CARLSON, GASKEY & OLDS, P.C.
400 West Maple Road, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

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